

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATOL L. SCRUGGS,)	
Plaintiff)	
)	
vs.)	Civil Action No. 07-1514
)	Judge Joy Flowers Conti/
ARTHUR T. McQUILLAN,)	Magistrate Judge Amy Reynolds Hay
Defendant)	

ORDER

AND NOW, this 14th day of February, 2008, after the Plaintiff, Natol L. Scruggs, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties ten (10) days from the date of service to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the complaint [5] is dismissed before service for failure to state a claim upon which relief can be granted pursuant to the authority given to courts by the Prison Litigation Reform Act, 28 U.S.C. Section 1915A.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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